

FORMAL MEETING AGENDA
BOARD OF SUPERVISORS
(and the Boards of Directors of the Flood Control District, Library District,
Stadium District, Improvement Districts, and/or Board of Deposit)
WEDNESDAY, AUGUST 22, 2007
9:00 AM

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

*One or more members may attend telephonically.
Members attending telephonically will be announced at the meeting.*

The Board may vote to recess into an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. §38-431.03(A)(3).

BOARD OF SUPERVISORS

STATUTORY HEARINGS

Clerk of the Board

1. LIQUOR LICENSE APPLICATIONS

Pursuant to A.R.S. §4-201, this is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the license.

- a. Application filed by Norman Andrus for a Person-to-Person Transfer and a Transfer-of-Location of a Series 7 Liquor License from Anthony Brett Gambino: (LL6230)

Business Name: Card Room 101
Location: 10908 E. Apache Trail, Apache Junction 85220
Former Location: Tiffant's Café, 1520 W. Bell Road, Phoenix 85023
(Continued from the June 20, 2007 and July 25, 2007 meetings)

- b. Application filed by Alan John Bakas for a Special Event Liquor License: (SELL790) (F23221)

Business Name: VFW Post #12031
Location: 41703 Gavilan Peak Parkway, Anthem 85086
Date/Time: November 10, 2007, 10:00 a.m. – 6:00 p.m.
(The Applicant requests a continuance to the September 5, 2007 meeting)

- c. Application filed by Carl A. Bradshaw for a Special Event Liquor License: (SELL791) (F23221)

Business Name: Our Lady of Lourdes Parish Men's Club
Location: 14818 W. Deer Valley Drive, Sun City West 85375
Date/Time: Sept 4, Oct 2, Nov 6, Dec 4, 2007, 4:30 p.m. – 7:30 p.m.

- d. Application filed by Donald A. Rogers for a Special Event Liquor License: (SELL795) (F23221)

Business Name: Knights of Columbus Council 11809
Location: 14818 W. Deer Valley Drive, Sun City West 85375
Date/Time: September 25, 2007, 5:00 p.m. – 9:00 p.m.

2. ANNEXATIONS/DEANNEXATIONS

- a. Pursuant to A.R.S. §9-471.02, convene the scheduled public hearing regarding ordinances filed by: the City of Tolleson Ordinance 456 describing certain land to be deannexed from their present limits and the City of Phoenix Ordinance G4934 describing that same certain land to be annexed into their present corporate limits. This area is generally described as a portion of 75th Avenue between Van Buren and Buckeye Road. If it is determined at such hearing that the requirements of Section 9-471.02, Arizona Revised Statutes, have been satisfied; and no protests were filed, the deannexation and annexation as described will be so ordered by Resolution of this Board and shall be filed in the Recorder's Office. (ADM4217-001) (ADM4213-001)
- b. Pursuant to A.R.S. §9-471.02, convene the scheduled public hearing regarding ordinances filed by the City of Phoenix Ordinance G4941 describing certain land to be deannexed from their present limits and the Town of Paradise Valley Ordinance 591 describing that same certain land to be annexed into their present corporate limits. This area is generally described as in the vicinity of Tatum Boulevard and Mockingbird Lane. If it is determined at such hearing that the requirements of Section 9-471.02, Arizona Revised Statutes, have been satisfied; and no protests were filed, the deannexation and annexation as described will be so ordered by Resolution of this Board and shall be filed in the Recorder's Office. (ADM4213)(ADM4211)

3. SUMMER MESA IRRIGATION WATER DELIVERY DISTRICT

Pursuant to A.R.S. §48-261 and §48-263, convene the scheduled public hearing regarding the impact statement of the proposed Summer Mesa Irrigation Water Delivery District, located in the Summer Mesa Subdivision Community in Supervisorial District 2.

The Board will hear those who appear for and against the proposed district and shall determine whether the creation of the district will promote public health, comfort, convenience, necessity or welfare. If the Board of Supervisors determines that the public health, comfort, convenience, necessity or welfare will be promoted, it shall approve the district impact statement and authorize the persons proposing the district to circulate petitions. The impact statement is one file in the office of the Clerk of the Board.

Pursuant to A.R.S. §48-261(C), approve a bond in the amount of \$500 to be filed with the Board by the persons proposing the district to cover costs incurred by the County if the district is not finally organized. This hearing was continued from the August 8, 2007 meeting. (C0607112700) (ADM4385)

Transportation

4. ROAD FILE DECLARATIONS

Approve petitions to open and declare the following roads into the county highway system. This action will serve as notice of the Board of Supervisors' acceptance of all U.S. Patent easements, reservations, rights-of-way or properties along the alignments into the Maricopa County highway system and will also authorize the maintenance and acquisition of the necessary rights-of-way through donation, purchase, or condemnation.

Road File No. A384 – In the vicinity of Old Stagecoach Road from South Line of the Southeast quarter of said Section 22 to a point on the Mid Sec Line of said Section 22. (Supervisorial District 3) (C6407276000)

AGENCY ITEMS AND STATUTORY MATTERS

COUNTY OFFICERS

Assessor

5. AMENDMENT TO LEASE WITH EJM KYRENE, LLC.

Approve Amendment No. 1 to the Limited Service Lease No. L7315 with EJM Kyrene, LLC. This amendment changes article 1.03 regarding Lessee Notice information. This lease is for the County Assessor's Tempe Office as the new tenant at 8240 S. Kyrene, Suite 113, Tempe, AZ. Lease No. L7315 was first approved under agenda number C2402004400 on January 3, 2002, as office and court space for the West Tempe Justice Court. On October 18, 2006, the Board approved the early termination of this lease under C24020044YY. However, this action was subsequently rescinded by Board action on April 18, 2007, under C2407003400 to approve the continued use of this leased space.

Upon the relocation of the West Tempe Justice Court to the new Regional Court facility and in an effort to escape lease termination fees, the Tempe County Assessor's office relocated into this facility. The tenant improvements to the facility, as required by the new tenant, Tempe County Assessor's office, was authorized under C1807035100 on May 2, 2007. The lease contains an early termination clause effective after the fifth year lease anniversary with 360-day notice to Lessor. All other terms and conditions of this lease remain in full force and effect. The official file for Lease L7315 is now C1208001400. (C1208001400)

County Attorney

6. GRANT FUNDS FOR DRUG CONTROL AND SYSTEM IMPROVEMENT PROGRAM

Approve receipt of grant funds from the Arizona Criminal Justice Commission (ACJC) for the FY 2007-08 Drug Control and System Improvement Program in the amount of \$1,615,000; comprised of \$546,098 in Federal Funds and \$750,553 in State Funds. The Maricopa County Attorney's Office recognizes the hard cash requirement and has the ability to provide the match of \$318,349 included in the adopted FY 2007-08 General Fund (100) expenditure budget. These funds are to enhance efforts to prosecute drug, gang, and violent crime offenders. This grant agreement, ACJC number PC-08-020, will commence on July 1, 2007, and will terminate on June 30, 2008. The grant funds may not be expended for any indirect costs which may be incurred by the Maricopa County Attorney's Office or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's composite indirect cost rate at 13.8%. The non-recoverable indirect cost of administering this grant is \$222,870.

Also, approve an FY 2007-08 revenue and expenditure appropriation increase of \$80,000 to the County Attorney's Office (190) Grants Fund (219) associated with the aforementioned grant. Grant revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C1908004300)

7. GRANT FUNDS/AGREEMENT FROM THE DPS VICTIM ASSISTANCE GRANT PROGRAM

Approve receipt of grant funds from the Arizona Department of Public Safety Victim Assistance Grant Program in the amount of \$58,055. The Maricopa County Attorney's Office recognizes that this grant requires a match of \$14,514 and has the resources to provide this match. This agreement, DPS Contract No. 2006-404, shall commence on July 1, 2007, and terminate on June 30, 2008. The grant funds may not be expended for any indirect costs, which may be incurred by the Maricopa County Attorney's Office or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's composite indirect cost rate at 13.8%. The non-recoverable indirect cost of administering this grant is \$8,011.59.

Also, approve revenue and expenditure appropriation adjustments to the County Attorney's Office (190) Grants Fund (219) associated with the aforementioned grant in an amount of \$13,510 for FY 2007-08. Grant revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C1908005300)

8. GRANT AGREEMENT/FUNDS FOR HIGH INTENSITY DRUG TRAFFICKING AREA PROSECUTION PROGRAM

Approve grant agreement and receipt of grant funds from the Arizona Criminal Justice Commission in the amount of \$83,519 for a High Intensity Drug Trafficking Area (HIDTA) Prosecution Program. The date the grant commenced was October 1, 2006, and will terminate September 30, 2008. Expenditure of the funds will occur between July 1, 2007 and June 30, 2008. Acceptance of this agreement will allow the Maricopa County Attorney's Office to use the funds specifically to support and enhance activities intended to deter, investigate and/or prosecute drug offenders. The grant funds may not be expended for any indirect costs that may be incurred by the Maricopa County Attorney's Office or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's composite indirect cost rate at 13.8%. The non-recoverable indirect cost of administering this grant is \$11,525.62. By approving this agenda item, the Board of Supervisors will be authorizing the acceptance of grant funding that is budgeted and no budget amendment is necessary. Grant revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. (C1908015300)

Elections

9. ADMINISTRATIVE CORRECTION

Approve an administrative correction to action taken regarding C2107012800 approved by the Board on July 25, 2007. This administrative correction specifies that the executed document is a "Trade for Service Agreement" with Complete Print Shop, Inc. to provide for the trade of a printmail wide array printer for \$10,000 in printing services. All other terms and conditions of this agreement shall remain unchanged. (C2107012801)

Sheriff

10. ACCEPT INCREASE IN FUNDS FOR METHAMPHETAMINE TASK FORCE

Approve acceptance of a \$93,402 increase in grant funds from the Arizona Criminal Justice Commission (ACJC), comprised of \$77,280 for the Maricopa County Methamphetamine Task Force (HIDTA Initiative XVII) and \$16,122 for the Arizona Drug Intelligence Task Force (ADITF XVII). This increase will bring the total awards from \$364,437 to \$457,839, respectively. The Sheriff's Office FY 2007-08 indirect cost rate is 11.7%. The unrecoverable indirect costs are estimated at \$10,928. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditure of these revenues is not prohibited by the law. The term of the agreement is from October 1, 2006, and terminates on September 30, 2008. The agreement expires at the end of the award period unless prior written approval for an extension has been obtained from the ACJC. (C5007546301)

11. ADMINISTRATIVE CORRECTION

Approve an administrative correction to action taken regarding C5008004200, Intergovernmental Agreement for Law Enforcement Services to the Town of Fountain Hills, approved by the Board on July 25, 2007. This administrative correction changes the cost of the first year of the agreement from \$2,704,827 to \$2,704,872. All other terms and conditions of this agreement shall remain unchanged. (C5008004201)

12. ONE-TIME ADDITION OF RICO-FUNDED VEHICLE AND EXEMPTION FROM MARKINGS

Approve a one-time addition to fleet of one RICO-funded black 2007 Chrysler 300 vehicle that is valued at \$35,836 for use by Sheriff's Operations Command. The annual estimated operating cost is \$3,500, which will be supported with RICO funds. This is a temporary addition to fleet and should not be added to the county vehicle replacement plan. This vehicle will automatically be removed from MCSO fleet at the end of its useful life and any proceeds recovered at the time of liquidation will be returned to the RICO fund.

Also, approve the issuance of an undercover registration and non-governmental license plate, including exemptions from markings pursuant to A.R.S. §38-538.03 and A.R.S. §28-2511. The vehicle will be used to conduct undercover law enforcement investigations. Exemptions granted pursuant to A.R.S. §38-538.03 are in effect for one year. A confidential list of this vehicle will be kept on file in the Clerk of the Board's Office. (C5008012M00) (ADM3101V)

13. AGREEMENT AND FUNDS FOR CONSTRUCTION OF SHOOT HOUSE AT BUCKEYE HILLS SHOOTING RANGE

Approve the agreement and acceptance of \$377,990 in grant funds from the Arizona Peace Officers Standards and Training Board (AZ Post). This funding is for the construction of a shoot house at the Buckeye Hills Shooting Range. The Sheriff's Office FY 2007-08 indirect costs rate is 11.7%. There are no indirect costs associated with this capital project grant.

Also, approve, pursuant to A.R.S. §42-17106 an appropriation increase in revenue and expenditure to the Sheriff's Office FY 2007-08 Grant Fund (251) in the amount of \$377,990. This appropriation adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditure of these revenues is not prohibited by the law. (C5008519300)

COUNTY MANAGER

Office of the County Manager

14. SALT RIVER PIMA MARICOPA INDIAN COMMUNITY TRIBAL GAMING FUNDS

Pursuant to A.R.S. §5-601.02, authorize Maricopa County to apply for Salt River Pima Maricopa Indian Community 12% Gaming Funds (Proposition 202, 2002) in the amount not to exceed \$5,000 and approve the acceptance of grant funds. If funds are awarded, pursuant to A.R.S. §42-17105, also approve an appropriation adjustment to Non-Departmental (470), Non-Departmental Grant Fund (249), Pass-Through Grants (4712), increasing the FY 2007-08 revenue and expenditure budgets not to exceed \$5,000. Maricopa County will put this grant funding toward the **Wilcox Late Night Basketball Program**. Indirect cost is not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C2008021300)

DEPUTY COUNTY MANAGER

Correctional Health

15. RENEWAL OF DATA LINK AGREEMENT

Approve renewal of the Data Link Agreement between the Arizona Department of Health Services, Division of Behavioral Health Services (ADHS), Maricopa County acting through Correctional Health Services of Maricopa County, and the Maricopa County Sheriff's Office (MCSO) from date of County Board approval until the date on which ADHS completes the transfer of responsibility from Value Options to Magellan Health Services of Arizona, Inc. The purpose of this Agreement is to govern the operation and parties' participation in the Jail Data Link Program (Data Link). Data Link uses software known as "Gateway" to enable the transfer of information between the MCSO and ADHS' or the Regional Behavioral Health Authority's (RBHA) data processing systems. RBHA is under contract with ADHS to coordinate the delivery of behavioral health services in Maricopa County, currently Value Options, Inc. Approval of this agreement will enable ADHS and the RBHA to expedite identification of seriously mentally ill clients incarcerated in the Maricopa County Jail and coordinate care for those clients. This Agreement may be terminated for any reason, by any Party, by giving 90 days advance written notification to the other parties of the termination date. There is no financial impact. (C2604035001)

16. AMENDMENT LOAN REPAYMENT ASSISTANCE PROGRAM

Approve Amendment No. 1 to C2607008800, Correctional Health Services (CHS) Loan Repayment Assistance Program (CHS-LRAP), created pursuant to A.R.S §11-251 which went into effect July 1, 2007, and remains in place for the duration of available funds. This amendment is to clarify that CHS may pay CHS-LRAP tuition reimbursement funds to eligible Section A participants in an amount that will be grossed-up by 15% to help cover participant income tax liability. Implementation of this amendment will not impact either the not-to-exceed amount specified in C260700880 or the CHS budget, as both were created to accommodate the original gross-up intent. (C2607008801) (ADM2131)

Employee Health Initiatives

17. GENERAL RELEASE OF CLAIMS

Authorize execution of General Release of Claims in favor of Unum Group in exchange for a payment of \$29,711.53 pursuant to an agreement between the New York Attorney General and Unum Group concerning Unum's broker compensation practices. (C3508002800) (ADM409)

General Government

18. NOTICES OF GRANT AWARD FOR HIV SERVICES

Approve two awards from the Department of Health and Human Services' Health Resources and Services Administration (HRSA) for HIV services to Government that increase the Ryan White grant. The notice of grant award received May 16, 2007, was in the amount of \$1,811,234 and the notice of grant award received June 20, 2007, was in the amount of \$770,000, totaling \$2,581,234. All these additional grant funds will be expended from July 1, 2007 to February 29, 2008. The estimated General Government indirect Rate is 10% in FY 2007-08. HRSA allows 10% indirect for administrative cost only. The recoverable indirect amount is \$35,199. \$2,194,049 are passed through to sub-recipients and are not subject to indirect. Approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 450, Fund 532) associated with the aforementioned grant in an amount of \$2,581,234. The appropriations adjustment is necessary because these funds were not included in the FY 2007-08 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C4508001300)

Management and Budget

19. ADDITION AND/OR REPLACEMENT OF MARKET RANGES

Approve the addition and/or replacement of the Market Ranges to the authorized comprehensive listing of employee compensation Market Ranges previously approved by the Board on April 18, 2007, and amended most recently on July 25, 2007. (The list is on file in the Clerk of the Board's office). (C4907038605) (ADM3300-006)

Public Health

20. AMENDMENT TO AGREEMENT WITH VALUE OPTIONS OF ARIZONA, INC. FOR THE HOMELESS CLINIC

Approve Amendment No. 4 to the Behavioral Health Fee-For-Service Agreement (C86060251) between Value Options of Arizona, Inc. (VO of Arizona) and Maricopa County Department of Public Health's Health Care for the Homeless Clinic (HCH). The purpose of this amendment is to extend the contract through August 31, 2007, with automatic renewals for one month periods not to extend beyond June 30, 2008. Automatic renewals are contingent upon availability of funding from VO of Arizona. Amendment No. 4 also increases the contract funding to the Department of Public Health in the amount of \$11,100 for the funding period of July 1, 2007 to August 31, 2007. Pursuant to the agreement's Special Terms and Conditions G. Financial Provisions 1. Availability of Funds, funding for any additional extensions after August 31, 2007, will be calculated on a prorate basis from the two month funding established for the period of July 1, 2007 to August 31, 2007. All other terms and conditions of the original agreement shall remain in full force and effect. Maricopa County Department of Public Health's indirect cost rate for FY 2007-08 is 18%. This grant allows for full indirect cost reimbursement estimated at \$1,694, all of which is recoverable. No revenue and expenditure appropriation adjustment is needed as these funds are included in FY 2007-08 Adopted Budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C8606025105)

21. AMENDMENTS FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES

Approve the Amendments to the following intergovernmental agreements (IGA) to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. These amendments are effective upon execution by both parties and exercise the option in the agreement per Section 1, paragraph 24 to extend the agreements for a one year period starting upon full-execution of the agreement to May 1, 2008. These agreements are covered under Section MC1-1001 of the Maricopa County Procurement Code. These IGAs were originally approved under C86074532LI on July 26, 2006:

- a. Amendment No. 1 with the **Arlington School District**. This amendment also provides additional funds to the Arlington School District in the amount of \$1,500 for the budget period July 1, 2007 through May 1, 2008. (C8607400201)
- b. Approve Amendment No. 1 with the **Gila Bend Elementary School District**. This amendment also provides additional funds to the Gila Bend Elementary School District in the amount of \$1,500 for the budget period July 1, 2007 through May 1, 2008. (C8607403201)
- c. Approve Amendment No. 1 with the **Higley Unified School District**. This amendment also provides additional funds to the Higley Unified School District in the amount of \$9,500 for the budget period July 1, 2007 through May 1, 2008. (C8607405201)
- d. Approve Amendment No. 1 with the **Laveen Elementary School District**. This amendment also provides additional funds to the Laveen Elementary School District in the amount of \$6,000 for the budget period July 1, 2007 through May 1, 2008. (C8607407201)
- e. Approve Amendment No. 1 with the **Mobile Elementary School District**. This amendment also provides additional funds to the Mobile Elementary School District in the amount of \$1,500 for the budget period July 1, 2007 through May 1, 2008. (C8607409201)
- f. Approve Amendment No. 1 with the **Paloma Elementary School District**. This amendment also provides additional funds to the Paloma Elementary School District in the amount of \$1,500 for the budget period July 1, 2007 through May 1, 2008. (C8607410201)
- g. Approve Amendment No. 1 with the **Sentinel Elementary School District**. This amendment also provides additional funds to the Sentinel Elementary School District in the amount of \$1,500 for the budget period July 1, 2007 through May 1, 2008. (C8607414201)
- h. Approve Amendment No. 1 with the **Balsz School District**. This amendment also provides additional funds to the Balsz School District in the amount of \$7,500 for the budget period July 1, 2007 through May 1, 2008. (C8607415201)
- i. Approve Amendment No. 1 with the **Morristown Elementary School District**. This amendment also provides additional funds to the Morristown Elementary School District in the amount of \$1,500 for the budget period July 1, 2007 through May 1, 2008. (C8607422201)

- j. Approve Amendment No. 1 with the **Phoenix Elementary School District**. This amendment also provides additional funds to the Phoenix Elementary School District in the amount of \$28,000 for the budget period July 1, 2007 through May 1, 2008. (C8607425201)
- k. Approve Amendment No. 2 with the **Wickenburg Unified School District**. This amendment also provides additional funds to the Wickenburg Unified School District in the amount of \$3,500 for the budget period July 1, 2007 through May 1, 2008. (C8607427202)
- l. Approve Amendment No. 1 with the **Union Elementary School District**. This amendment also provides additional funds to the Union Elementary School District in the amount of \$1,500 for the budget period July 1, 2007 through May 1, 2008. (C8607447201)
- m. Approve Amendment No. 2 with the **Peoria Unified School District**. This amendment also provides additional funds to the Peoria Unified School District in the amount of \$47,500 for the budget period July 1, 2007 through May 1, 2008. (C8607450202)
- n. Approve Amendment No. 1 with the **Wilson School District**. This amendment also provides additional funds to the Wilson School District in the amount of \$2,000 for the budget period July 1, 2007 through May 1, 2008. (C8607454201)
- o. Approve Amendment No. 1 with the **Fountain Hills Unified School District**. This amendment also provides additional funds to the Fountain Hills Unified School District in the amount of \$2,000 for the budget period July 1, 2007 through May 1, 2008. (C8607481201)

22. AGREEMENT FOR STD CLINIC/TESTING AND DONATION

Approve the Clinical Study Agreement between Healthcare Providers Direct (HPD) and Maricopa County through its Department of Public Health for the Sexually Transmitted Disease (STD) Clinic. This Clinical Study Agreement will provide the STD Clinic with Chlamydia tests for three hundred (300) patients. HPD will pay the STD clinic \$5,000 for study expenses of approximately three hundred (300) patients and other related costs. The term of this agreement is effective upon Board approval and will terminate one year from that date.

Also, accept the donation of Chlamydia tests valued at \$3 per test (valued at \$900) and non-cash incentives for each of the 300 participants valued at \$25 per participant (valued at \$7,500) for a total in-kind donation valued at the amount of \$8,400.

The Department of Public Health's fee fund indirect reimbursement rate for FY 2007-08 is 19.85%. This agreement does not allow for indirect reimbursement. Full indirect expenses are estimated at \$2,660 all of which is unrecoverable.

Pursuant to A.R.S. §42-17106(B), approve the transfer of expenditure authority between the Non-Departmental Grants Fund (Department 470, Fund 249) and the Public Health Fee Fund (Department 860, Fund 265). This action will require revenue and expenditure appropriation adjustments decreasing the FY 2007-08 Non-Departmental Department (470) General Government Grant Fund (249) by \$13,400 and increasing the FY 2007-08 Public Health (860) Public Health Fees Fund (265) by \$13,400. These adjustments will result in a County-wide net financial impact of zero. (C8608006100) (ADM2150)

23. STRATEGIC NATIONAL STOCKPILE ASSETS

Approve the Intergovernmental Agreement (IGA) between the Gila River Indian Community (GRIC) and Maricopa County by and through its Department of Public Health's Emergency Management Program (PHEM). This IGA allows PHEM to deliver Strategic National Stockpile assets (SNS) to GRIC in the event of a public health emergency. This agreement is non-financial, with a term that is effective upon Board approval and is valid until terminated by either party. (C8608019200)

24. CLINICAL NUTRITION TRAINING EXPERIENCE

- a. Approve the Affiliation Agreement with Phoenix Body Positive, Inc. and the Department of Public Health to provide clinical nutrition training experience for graduate students in the dietetic internship at the Department of Public Health Office of Nutrition Services. This agreement is non-financial, and the term is from July 1, 2007 through June 30, 2012. (C8608020000)
- b. Approve the Affiliation Agreement with Diversified Specialty Institutes and the Maricopa County Department of Public Health to provide clinical nutrition training experience for graduate students in a dietetic internship with the Department of Public Health Office of Nutrition Services. This agreement is non-financial, and the term is from September 1, 2007 through June 30, 2012. (C8608021000)

ASSISTANT COUNTY MANAGER - COMMUNITY SERVICES

Human Services

25. CONTRACT FOR WORKFORCE INVESTMENT ACT YOUTH SERVICES

Approve Contract C22080971, between Valley of the Sun YMCA and Maricopa County through the Human Services Department for services to provide Workforce Investment Act (WIA) youth services and activities to a minimum of 75 out-of-school youth, ages 16-21, who reside in Maricopa County in the amount of \$499,997. This contract is effective September 1, 2007 through August 31, 2008, with the option of renewing the contract for four additional one-year terms based on performance and funding availability. Funding for this contract is federal WIA funding provided to Maricopa County by the Arizona Department of Economic Security.

Also, approve revenue and expenditure appropriation adjustments to the Human Services Grant Fund (222) associated with the funding in the amount of \$499,997. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these funds are not prohibited by the budget law. This appropriation adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. This contract does not contain any County general funds. (C2208097100)

Parks and Recreation

26. AMENDMENT TO MINIATURE GOLF/BATTING RANGE AGREEMENT

Approve Amendment No. 4 to the Miniature Golf/Batting Range Agreement dated February 2, 1987, between Casey at the Bat, Inc. and Maricopa County by and through the Parks and Recreation Department to amend the termination date from November 4, 2008 to June 30, 2008. This agreement was initially approved for construction, maintenance and operation of facilities at Paradise Valley Park and subsequently amended under 87-086997, CS90-1003, C1804004B00 and C3004015100. Upon approval, the effective date of this agreement will be February 2, 1987 to June 30, 2008. There are no renewal options remaining. (ADM323) (C3004015101)

27. COOPERATIVE AGREEMENT AND ACCEPT FUNDS FOR A POND ENHANCEMENT PROJECT

Enter into a Cooperative Agreement and accept funds from U. S. Fish and Wildlife Service (USFWS) for a Pond Enhancement Project at the McDowell Mountain Regional Park. The total cost of the project is estimated at \$5,800. The USFWS will provide funds of \$3,000 and Parks and recreation will provide the match in labor and materials of \$2,800. McDowell Mountain Regional Park will contribute labor, use of equipment, implementation of components of the vegetation, site monitoring and maintain and manage the ponds.

Also, approve an appropriation adjustment to Parks and Recreation Department (300) Parks and Rec. Grants fund (230), **increasing** the FY 2007-08 revenue budget by \$3,000 and the expenditure budget by \$3,000. The matching costs are available and budgeted in the Parks and Recreation Department (300) Parks Enhancement Fund (241). These funds are non-local revenues for the purpose of the constitutional expenditure limitation and therefore expenditures of these revenues are not prohibited by the budget law. The indirect cost recovery rate for Parks & Recreation is 17.57%. This grant does not allow for indirect cost recovery. The total unrecoverable indirect amount is \$527. (C3008006300)

28. MEMORANDUM OF UNDERSTANDING WITH ARIZONA ZOOLOGICAL SOCIETY

Approve and execute a Memorandum of Understanding between Arizona Zoological Society and Maricopa County, through its Parks and Recreation Department, to create a more formal working relationship and share resources to effect a positive impact and benefit to the public. Under this agreement the County will serve as the sponsoring agency for application of Heritage Fund grants. Should a grant be awarded, the Parks & Recreation department will return to the Board of Supervisors for approval to accept funding. (C3008007000)

CHIEF FINANCIAL OFFICER

Animal Care & Control Services

29. ANIMAL CONTROL FIELD SERVICES

Approve an intergovernmental agreement (IGA) between Maricopa County through Maricopa County Animal Care & Control and the City of Glendale, for Animal Control Field Services. This IGA is effective from July 1, 2007, through June 30, 2010. The City of Glendale agrees to pay full cost recovery for field services for FY 2007-08 estimated to be \$295,177 based on historical levels of service for this jurisdiction.

Also, authorize the Office of Management and Budget to adjust the revenue and expenditures for FY 2008-09 and FY 2009-10, based on service levels. (C7908022200)

30. KENNEL PERMITS RENEWALS

Approve kennel permit renewal #311 pursuant to A.R.S. §11-1009 for **Leighton Oosthuisen, d.b.a. Oosthuisen Kennels**, located at 4640 E. Forest Pleasant Place, Cave Creek, AZ 85331, for the term of August 22, 2007 through August 21, 2008. The cost of a kennel permit is \$328, plus a penalty fee of \$25; totaling \$353. (Supervisorial District 2) (C7908023C00) (ADM2304)

Finance

31. FUND TRANSFERS; WARRANTS

Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

32. LEASE WITH CENTRAL ARIZONA SHELTER SERVICES LLC FOR WAREHOUSE SPACE

Approve and execute new Lease No. MC10166 with Central Arizona Shelter Services, LLC, Lessee, for 7,687 square feet of warehouse space located at 1214 W. Madison, Phoenix, AZ. The term of the lease commences September 18, 2007, and terminates September 17, 2008, with an option to renew for one additional year. The annual rental rate is \$1.00 per year. The Lessee wishes to utilize this facility as a "Low Demand" shelter. This lease contains a 90-day termination provision and a six-month holdover provision. (C1808010400)

Materials Management

33. SOLICITATION SERIALS

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts. (ADM3005)

Award

- 07062-C Padlocks (\$350,000 estimate/three years with three one-year renewal options)** Price agreement to provide Padlocks and Keys of various types for County Agencies as requested by the Sheriff's Office and Facilities Management Departments.
- Independent Hardware, Inc.

Renewals/Extensions:

It is recommended that the Board of Supervisors approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed).

Until November 30, 2010

- 04092-RFP Plan Review Services (\$4,500,000 estimate/three years)** Contract for review of construction drawings to assure compliance with County adopted building codes, related zoning ordinance requirements and the review of drainage plans as requested by the Planning and Development Department.
- Stantec Consulting, Inc.

Approve an increase in the price agreement amount for the following contract(s). This request is due to an increased usage by County departments.

- 03016-S Auto Body Repair (\$400,000 increase)** Increase price agreement value from \$435,000 to \$835,000. This \$400,000 increase is being requested by Risk Management to allow for additional funds to repair County vehicles damaged in accidents. Materials Management Department approved a two year renewal on July 20, 2006, in the amount of \$435,000. Original award date was July 30, 2003. This price agreement has an expiration date of August 31, 2008.
- Ace Auto Collision
 - Auto Safety House
 - Five Star Ford-Collision
- 04041-S Pumping Services: Grease, Lint, Cesspool, And Sump Trap (\$300,000 increase)** Increase price agreement value from \$250,000 to \$550,000. This \$300,000 increase is requested by FMD to cover current purchase orders and future expenditures over the remaining two years of this agreement. This agreement was approved by the Board of Supervisors on July 7, 2004, and has an expiration date of July 31, 2009.
- Ecology Control Industries

Approval of Trade-In

Approve the trade-in of one set of 8210 optical laser alignment heads toward the purchase of an upgraded set of 8225UI alignment heads. These heads fit a Model 2110 analyzer s/n 20023530 currently in use at the Facilities Management Department. The trade-in is with Computational Systems, Inc. for a value of \$2070 which will be deducted from the purchase price (\$12,069.99) of the replacement heads.

Risk Management

34. SETTLEMENT OF WORKER'S COMPENSATION LIEN

Approve Settlement of worker's compensation lien resulting in receipt of \$5,000 as full and final satisfaction of Maricopa County's worker's compensation lien against the third party claim/legal action of Alva Tovar in Maricopa County Superior Court No. CV2006-50972, and authorize the Chairman to sign any necessary documents upon review and approval as to form by assigned legal counsel. (C7508003100) (ADM3712)

35. WAIVER OF MARICOPA COUNTY'S WORKER'S COMPENSATION LIEN

Approve a full waiver of Maricopa County's worker's compensation lien against the third party claim/legal action of Kenneth Skiles, and authorize the Chairman to sign any necessary documents upon review and approval as to form by assigned legal counsel. (C7508006100) (ADM3712)

ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES

Emergency Management

36. ACCEPT PALO VERDE NUCLEAR GENERATING STATION FUNDING FROM THE ARIZONA DIVISION OF EMERGENCY MANAGEMENT

Approve and accept funding from the Arizona Division of Emergency Management for Palo Verde Nuclear Generating Station as appropriated from the Arizona State Legislature for FY 2007-08 in the amount of \$333,615. The grant period is July 1, 2007 to June 30, 2008. The Palo Verde funding was included in the FY 2007-08 base budget in the amount of \$333,615. MCDEM's indirect cost rate for this grant is 12.85%. Indirect costs of \$37,988.06 are allowable and recoverable. (C1508002300)

37. ACCEPT GRANT AWARD FROM THE ARIZONA DIVISION OF EMERGENCY MANAGEMENT FOR THE EMERGENCY MANAGEMENT PERFORMANCE GRANT

Approve and accept grant award from the Arizona Division of Emergency Management for the Emergency Management Performance Grant (EMPG) for FY 2007-08 in the amount of \$282,374. The grant period is October 1, 2006 to September 30, 2008. The EMPG was included in the FY 2007-08 base budget in the amount of \$282,374. MCDEM's indirect cost rate for this grant is 12.85%. Indirect costs of \$32,153.35 are allowable and recoverable. (C1508004000)

Facilities Management

38. RESCIND ACTION

Rescind the previous action approved by the Board on July 25, 2007 under C7008013800 to accept a donation in the amount of \$377,990 from the Arizona Peace Officer Standards and Training Board (AZ Post). The actual funding is in the form of a grant and the Sheriff's Office has submitted agenda item C5008519300 for its acceptance. (C7008013801) (ADM3900-003) (ADM3917)

39. CONTINUATION OF EMPLOYEE RECOGNITION REWARD PROGRAM

In accordance with Section X of the Maricopa County Compensation Plan, approve the continuation of the Facilities Management Quarterly Employee Recognition Reward Program for FY 2007-08 to allow for the purchase and award of American Express gift cards (02059-RFP) in denominations of 25 points for a maximum award of 50 points per employee per event. These gifts cards have no cash value. The cost of the program is anticipated at \$4,800 and will be absorbed in the current expenditure budget of Department 70/Facilities Management, Fund (100). The program will cover the period from July 1, 2007 through June 30, 2008. (C7008018800) (ADM3336) (ADM800-001)

Transportation

40. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS

Approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. (The list is on file in the Clerk of the Board's office.) (ADM2007)

BOARD OF SUPERVISORS

Clerk of the Board

41. RESIGNATION

Accept the resignation of Brian C. McNeil who served as a citizen member at-large on the Board of Health. His resignation is effective immediately upon Board approval. (C0608014900) (ADM2101-001)

42. RESOLUTION

Adopt a Resolution of the Maricopa County Board of Supervisors regarding the support of Hassayampa Utility Company's 208 Amendments for Northeast Service Area and Southwest Service Area.

43. INDUSTRIAL DEVELOPMENT AUTHORITY

This item is being considered by the Board of Supervisors solely to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended, and the requirement of A.R.S. §35-721B, that the Board approve the proceedings under which bonds of the Industrial Development Authority of the County of Maricopa are issued: (C1808011A00) (ADM4792)

Adopt a Resolution approving the issuance by The Industrial Development Authority of the County of Maricopa of Single Family Mortgage Revenue Bonds, to be issued in one or more series pursuant to a Plan of Finance, in an aggregate principal amount not to exceed \$400,000,000 in furtherance of the Single Family Mortgage Revenue Bond Program 2007A of The Industrial Development Authority of the City of Phoenix, Arizona and The Industrial Development Authority of the County of Maricopa in an aggregate principal amount not-to-exceed \$400,000,000, and approving a Cooperative/Intergovernmental Agreement, the Standards and Requirements and the General Plan relating to the Program; and other matters necessary or desirable for the issuance and sale of the bonds.

44. INDUSTRIAL DEVELOPMENT AUTHORITY (UMOM NEW DAY CENTER INC. PROJECT)

Resolution of the Board of Supervisors of Maricopa County, Arizona ratifying the conducting by Tom Manos or his designee of a public hearing as required by the provisions of Section 147(F) of the Internal Revenue Code of 1986, as amended and authorizing the Chairman of the Maricopa County Board of Supervisors, on behalf of the Board, to approve the issuance by the Industrial Development Authority of the City of San Luis, Arizona to issue not-to-exceed \$10,000,000 aggregate principal amount of its Industrial Development Revenue Bonds (UMOM New Day Centers, Inc. Project), Series 2007. (C1808013A00)

45. REGIONAL SCHOOL DISTRICT #509 VOUCHERS/WARRANTS

The Board of Supervisors, pursuant to its authority granted in A.R.S. §15-1001, will consider for approval vouchers presented by the County School Superintendent of Maricopa County to draw warrants on the County Treasurer against Maricopa County Regional School District #509 School District funds for necessary expenses against the school district and obligations incurred for value received in services (except for payroll vouchers) as shown in the Vouchers. (ADM3814-003)

The Board of Supervisors may consider ratifying any Maricopa County Regional School District #509 vouchers and/or warrants (except for payroll vouchers) approved in accordance with the procedures of A.R.S. §15-321 since the last meeting of the Board of Supervisors. The Board of Supervisors may hear staff reports on the vouchers and warrants being considered. The Vouchers are on file in the Maricopa County's Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule. (ADM3814-003)

Staff may update the Board of Supervisors on regional schools operations and finances. (ADM3814-005)

SETTING OF HEARINGS

~All hearings will be held at 205 W. Jefferson, Phoenix, unless otherwise noted~

Clerk of the Board

46. FRANCHISE

Pursuant to A.R.S. §40-283, set a public hearing for 9:00 a.m. on Wednesday, September 19, 2007, to solicit comments and consider the reapplication by West End Water Co., for an extension to an existing public service franchise for a domestic water distribution system. The hearing will consider the reissuance of a public service franchise extension, and whether the applicant is able to adequately maintain facilities in county rights-of-way. Pending approval by the Board of Supervisors, the franchise will be granted upon the express condition that the Certificate of Convenience and Necessity be procured from the Corporation Commission of the State of Arizona within six months of approval by the Board of Supervisors and that no facilities will be installed prior to the granting of the Certificate of Convenience and Necessity. Upon approval, authorize the Chairman to sign the Franchise Resolution. (C0608018700) (F17643)

47. ANNEXATIONS/DEANNEXATIONS

Pursuant to A.R.S. §9-471.02 schedule a public hearing for 9:00 a.m. Wednesday, September 19, 2007, regarding ordinances filed by the City of Peoria and the City of Glendale deannexing and annexing certain territory within their present corporate limits. The City of Peoria will deannex and the City of Glendale will annex a 13 acre parcel located at 17750 North 83rd Avenue. (ADM4212-001) (ADM4207-001)

48. MARICOPA COUNTY AIR POLLUTION CONTROL REGULATIONS

Set a public hearing, as required by A.R.S. §49-479(b), for October 17, 2007, to solicit comments on proposed revisions to the following Maricopa County Air Pollution Control Regulations: Rule 322 (Power Plant Operations), Rule 323 (Fuel Burning Equipment From Industrial/Commercial/Institutional Sources), and Rule 324 (Stationary Internal Combustion Engines), and to solicit comments on submitting the rules as a revision to the (Arizona) State Implementation Plan (SIP). Following the public hearing, the Board is requested to adopt proposed revisions to Maricopa County Air Pollution Control Regulations, Rules 322, 323, and 324 and to submit the revised rules as a revision to the (Arizona) State Implementation Plan (SIP). (C8508003700) (ADM2354)

CONSENT AGENDA

Clerk of the Board

49. **ASRS Claims** – Authorize payment of claims submitted by the Arizona State Retirement System, on behalf of current or former employees regarding contributions not withheld for purposes of participation in the Arizona State Retirement System. Amounts may be recalculated employer payments to show accrued interest payments. (Claims are on file in the Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule.) (ADM3309-001)
50. **Canvass of Elections** – Pursuant to A.R.S. §16-642(B), accept the canvasses of elections submitted by special districts as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM4300)
51. **Classification Changes** – Approve the Assessor's recommendation pursuant to A.R.S. §42-12054, that the Board change classification and/or reduce the valuation of certain properties which are now owner-occupied. (List is on file in the Clerk of the Board's Office and retained in accordance with ASLAPR approved retention schedule.) (ADM723)
52. **Donations** – Accept the donation reports received from county departments for July 2007 as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM1810)
53. **Duplicate Warrants** – Necessary affidavits having been filed, pursuant to A.R.S. §11-632, approval and ratification is requested for duplicate warrants issued to replace county warrants and school warrants which were either lost or stolen. (The list is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM1823) (ADM3809)
54. **Minutes** – Approve the minutes of the Board of Supervisors meetings held May 16, 2007.
55. **Precinct Committeemen** – Pursuant to A.R.S. §16-821, authorize the appointment and cancellation of appointment of Precinct Committeemen. The list is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM1701)
56. **Secured Tax Roll Corrections** – Approve requests from the Assessor for corrections of the Secured Tax Rolls. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM705)
57. **Settlement of Tax Cases** – Approve the settlement of tax cases dated August 22, 2007. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM704)
58. **Stale Dated Warrants** – The Board of Supervisors finds that claims presented, pursuant to A.R.S. §11-644, are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. (A list of claims is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM1816)
59. **Tax Abatements** – Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §42-18353. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM708)

FLOOD CONTROL DISTRICT AGENDA

FCD-1. Approve minutes of meeting held May 16, 2007.

FCD-2. Approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. (ADM1910)

FCD-3. FLOOD CONTROL DAMS AND DAM SAFETY PROGRAM DEVELOPMENT WORK

Approve Intergovernmental Agreement Amendment FCD 2004A018A to IGA FCD 2004A018, Dam Safety Program Planning and Structures Assessment (PCN 026.01.26), between the Flood Control District of Maricopa County and the City of Phoenix for cost sharing and implementation of engineering assessments and Emergency Action Plan development for 12 non-jurisdictional City of Phoenix flood control dams and other City of Phoenix Dam Safety Program development work. (C6905102201)

FCD-4. AGREEMENTS TO LEASE OFFICE SPACE WITH MARICOPA COUNTY PUBLIC WORKS

Approve agreements to lease office space between the Flood Control District of Maricopa County with Maricopa County Public Works. Due to the consolidation of responsibilities, office equipment, and modular furniture within the District into Public Works, it is necessary to memorialize space leasing arrangements. These agreements will be effective commencing on July 1, 2007. A corresponding agenda item C6408021M00 was approved by the Board of Supervisors on August 8, 2007. (C6908005M00)

FCD-5. RESOLUTION FCD 2007R003, ELM LANE DRAINAGE IMPROVEMENTS

Adopt Resolution FCD 2007R003, Elm Lane Drainage Improvements. This Resolution authorizes and directs the Chief Engineer and General Manager of the Flood Control District of Maricopa County to develop and negotiate Intergovernmental Agreements and/or Agreements for the cost sharing, design, construction, construction management, rights-of-way acquisition, operation and maintenance with the City of Avondale and others and authorization to perform design; authorization for rights-of-way acquisition, and program funding for the Elm Lane Drainage Improvements (Project). (C6908008600) (ADM1900)

FCD-6. DECLARE FOUR PARCELS EXCESS

Authorize the Flood Control District of Maricopa County to declare four parcels excess so they may be sold pursuant to statutory guidelines. The four parcels are as follows:

- o 40+ acres located at Higley Road and Queen Creek Road in Gilbert, Arizona.
- o 9+ acres located at Higley Road and Ocotillo Road in Gilbert, Arizona.
- o 58+ acres located at Riggs Road and 164th Street adjacent to the East Maricopa Floodway in Gilbert, Arizona.
- o 17+ acres located at the former Arlington School site on Arlington School Road in southwestern unincorporated Maricopa County.

The dollar amount on these properties is unknown as they have not been appraised. Maps on file in the Clerk of the Board's Office. (C6908009B00) (ADM1903-002)

FCD-7. CROSS-APPEAL IN THE MATTER OF A TUMBLING T RANCHES

Ratify and approve the filing of a cross-appeal in the matter of A Tumbling T Ranches as filed by counsel for the Flood Control District on June 28, 2007. This matter was discussed in Executive Session on July 25, 2007. (C7508005M00) (ADM1900-004)

LIBRARY DISTRICT AGENDA

LD-1. Approve the minutes of meeting held May 16, 2007.

LD-2. DONATIONS

Accept the donation reports received for July 2007 as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM2800-006)

LD-3. ACCEPT GRANT FOR THE EARLY CHILDHOOD READING PROGRAM

Approve and accept a grant from Target Corporation in the amount of \$2,000 to the Library District's Early Childhood Reading Program, "Inspiring Kids to Read." Also, **increase** revenues and expenditures in the Library District (650), Library District Grant Fund (242) in the amount of \$2,000. Program dates are October 1, 2007 to September 1, 2008. The District's indirect cost recovery rate is 7.03% or \$140.60. Indirect costs are not recoverable. (C6508003300)

LD-4. AMENDMENTS TO IGAS FOR RECIPROCAL BORROWING PROGRAM

Approve Amendment No. 2 to each of the following intergovernmental agreements (IGAs) between 12 cities/towns participating in the Maricopa County Library District Reciprocal Borrowing Program for FY 2007-08 and FY 2008-09 as listed below. This program enables all city residents to use other participating libraries and allows other county residents to use each of the participating public libraries (plus Maricopa County) without incurring a library card fee. Total FY 2007-08 RBP budget is \$1,400,000, of which \$1,087,000 is allocated for these 12 IGA's. The IGA's will commence on July 1, 2007 and terminate June 30, 2009. Buckeye C6502012202; Carefree C6503028202; Cave Creek C6503027202; Chandler C6502013202; Mesa C6502014202; Peoria C6502015202; Phoenix C6502016202; Scottsdale C65020170202; Tempe C6502018202; Tolleson C6502019202; Wickenburg C6502020202; and Youngtown C6502021202. Each of these IGAs were approved on November 7, 2001 under C65020102ZZ with Amendment No 1 to each IGA approved on May 3, 2006 under C6506023100. (C65080162ZZ)

STADIUM DISTRICT AGENDA

SD-1. Approve minutes of meeting held May 16, 2007.

CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS

- 60.** Public comment on matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to the Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the Chairman.) (ADM605)

- 61.** Supervisors'/County Manager's summary of current events. (ADM606)

*****The Board of Supervisors will now consider Code Enforcement Reviews.*****

**Please note that these matters are of a quasi-judicial nature and the Board will review the Hearing Officer's decision in each case to determine if sufficient evidence was presented to the Hearing Officer to support the decision or whether a procedural error may have occurred.
New evidence is not considered at these hearings.**

CODE ENFORCEMENT REVIEW

- PZ-1. Michael J. Wright** -This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V2006-01380, Michael J. Wright. (Supervisory District 3) (ADM3417-051)

*****The Board of Supervisors will now consider matters related to Planning and Zoning.*****

PLANNING AND ZONING AGENDA

CONSENT AGENDA: **(Detailed below)**

1. Z2007-014, Precise Plan of Development in the C-2 CUPD zoning district, located south of Anthem Way on the southwest side of Venture Drive (in the Anthem area) (District 3)
2. S2006-072, Final Plat in the R-4 zoning district, located north of Olive Avenue and east of 99th Avenue (in the Sun City area) (District 4)

REGULAR AGENDA: **(Detailed below)**

3. TA2006-013, Text Amendment to the Maricopa County Zoning Ordinance (MCZO), Articles 801.7 and 1404.1 in regard to signage in the C-S zoning district (All Districts)
4. Z2006-032, Rezone from Rural-43 to Rural-43 RUPD, located at the northeast corner of Paint Your Wagon Trail and 14th Street (in the north Phoenix/ Desert Hills area) (District 3)

CONSENT AGENDA DETAIL:

1. **Z2007-014** District 3

Applicant: Deardoff, Pang & Weymiller, Inc. for Tyco Medical Building, LLC
Location: South of Anthem Way on the southwest side of Venture Drive (in the Anthem area)
Request: Precise Plan of Development for a medical office building in the C-2 CUPD zoning district (approximately 1.0 acres) – Tyco Medical Office Building

COMMISSION ACTION: Commissioner Barney moved to recommend approval of Z2007-014, subject to stipulations “a” through “q”. Commissioner Jones seconded the motion, which passed with a unanimous vote of 9-0.

- a. Development of the site shall comply with the site plan entitled “Tyco Medical Office Building Parcel B, Venture Court Professional Plaza Zoning Case Z2007-014” consisting of one (1) full size sheet, dated revised May 31, 2007, and stamped received June 6, 2007, except as modified by the following stipulations.
- b. Development of the site shall be in conformance with the narrative report entitled “Narrative Report for Tyco Medical Office Building Parcel B, Venture Court Professional Plaza” consisting of six (6) pages, dated revised May 31, 2007, and stamped received June 6, 2007, except as modified by the following stipulations.
- c. Development of the site shall be in conformance with the landscape plan entitled “Tyco Medical Office Building”, consisting of one (1) full size sheet, dated revised May 21, 2007, and stamped received June 6, 2007, except as modified by the following stipulations.
- d. Development of the site shall be in conformance with the wall plan entitled “Tyco Medical Office Building Parcel B, Venture Court Professional Plaza Zoning Case Z2007014” consisting of one (1) full size sheet, dated revised May 31, 2007, and stamped received June 6, 2007, except as modified by the following stipulations.
- e. The following Maricopa County Drainage stipulations shall apply prior to issuance of the first building permit:
 - The F.F.E. (Finished Floor Elevation) set up criteria shown in Drainage Report for Venture Court Professional Plaza is not correct. Please refer to the criteria shown in the most recent Maricopa County Drainage Policies and Standards. Update the F.F.E. based upon the correct criteria.
 - In Drainage Report for Venture Court Professional Plaza, it said that the onsite drainage will be directed via surface flow to an inverted crown drive located on the east side of the project site. Why a super-elevated drive was proposed at east side of project site. Probably it will cause the on-site flow overtop the curb to nearby wash.
 - Is Drainage Report for Venture Court Professional Plaza approved by County?
 - Clearly shown erosion setback line and 100-year floodplain limit boundary on the plan. Erosion protection shall be provided along the west side of the wash bank.
- f. All trees shall be double-staked when installed.
- g. A continuous parapet shall screen all roof-mounted equipment.
- h. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be screened from view.
- i. Prior to the issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County

Department of Transportation (MCDOT) for landscaping or other improvements in the right-of-way.

- j. All outdoor lighting shall conform with the Maricopa County Zoning Ordinance.
- k. An archeological survey shall be submitted to and approved by the Arizona State Historic Preservation Office prior to issuance of a Grading Permit. The applicant must contact the State office prior to initiating disturbance of the site. The applicant shall provide the Planning and Development Department with written proof of compliance with this stipulation.
- l. The applicant or his successor shall obtain approval of any development plans from the Office of the Arizona State Fire Marshal prior to any construction.
- m. Development and use of the site shall comply with the requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department. Prior to issuance of zoning clearance, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
- n. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- o. Major changes to the site plan and narrative report shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department.
- p. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with Chapter 3 (Conditional Zoning).
- q. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.

2. **S2006-072** District 4

Applicant: Carl Bommarito with Vision 5 Development
Location: North of Olive Avenue and east of 99th Avenue (in the Sun City area)
Request: Final Plat in the R-4 zoning district for Riverwalk Village – Phase 1 (approximately 9.24 gross acres)

REGULAR AGENDA DETAIL:

3. **TA2006-013** All Districts

Applicant: Commission Initiative
Location: County-wide
Request: Text Amendment to the Maricopa County Zoning Ordinance (MCZO), Sections 801.7 and 1404.1 in regards to signage in the C-S zoning district

COMMISSION ACTION: Commissioner Barney moved to recommend approval of TA2006-013. Commissioner Munoz seconded the motion, which passed with a unanimous vote of 9-0.

4. **Z2006-032** District 3

Applicant: Lamont Planning & Design Group for Desert Hills Ranch, LLC and Paint Your Wagon, LLC
 Location: Northeast corner of 14th Street and Paint Your Wagon Trail (in the north Phoenix/Desert Hills area)
 Request: Rezone from Rural-43 to Rural-43 RUPD (approximately 74.70 acres) – Desert Hills Ranch

COMMISSION ACTION: Commissioner Smith moved to recommend approval of Z2006-032, subject to stipulations “a” through “t”. Commissioner Aster seconded the motion, which passed with a unanimous vote of 10-0.

- a. Development of the site shall comply with the zoning exhibit entitled “Desert Hills Ranch Zoning Exhibit and Preliminary Plat Zoning Case Z2006032 & Preliminary Plat S2006026”, consisting of four (4) full-size sheets, dated revised April 17, 2007, and stamped received June 4, 2007. Within thirty (30) days of the Board of Supervisors approval, a revised exhibit will be required to reflect only the Zone Change information.
- b. Development of the site shall be in conformance with the narrative report entitled “Desert Hills Ranch Rezoning/Preliminary Plat Submittal”, consisting of seventeen (17) pages, dated revised April 17, 2007, and stamped received June 4, 2007, except as modified by the following stipulations. Within thirty (30) days of the Board of Supervisors approval, a revised narrative report will be required to reflect only the Zone Change information.
- c. Development of the site shall be in conformance with the landscape plan entitled “Desert Hills Ranch”, consisting of seventeen (17) full size sheets, dated revised April 17, 2007, and stamped received May 15, 2007, except as modified by the following stipulations. Prior to the Board of Supervisor’s hearing, a revised landscape plan will be submitted to the County to display the revised location of equestrian use with Tract B.
- d. The Rural-43 RUPD zoning district for Desert Hills Ranch shall be subject to the following development standards:

Development Standard	Rural-43 Base	Rural-43 RUPD Proposed
Maximum building height / stories	30’/2 stories	30’/2 stories
Minimum front setback	40’	30’
Minimum side setback	30’	25’
Minimum street side setback	20’	20’
Minimum rear setback	40’	40’
Minimum lot size	43,560 sq. ft.	35,000 sq. ft.
Minimum lot width	145’	122’
Average lot area per dwelling unit	43,560 sq. ft.	53,445 sq. ft.
Maximum lot coverage	15%	20%
Minimum distance between Buildings on same lot	15’	15’

Required parking spaces per unit	2	2
Hillside Disturbance	15%	Tract B - 2% (1,569 sq. ft.) Lot 12 - 100% (2,446 sq. ft.)

- e. The following Maricopa County Department of Transportation (MCDOT) stipulations shall apply:
 - Provide a total half-width of 55' right-of-way on 16th Street with bonding for this roadway.
 - Provide a total half-width of 30' right-of-way on 14th Street.
 - Any landscaping in County right-of-way must meet Chapter 9 (Roadway Design Manual).
 - Construct ultimate half-width improvements on all perimeter roadways. Roadways must meet County standards in effect at the time they are constructed.
- f. All trees shall be double-staked when installed.
- g. A continuous parapet shall screen all roof-mounted equipment.
- h. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be ground mounted.
- i. All interior streets within the proposed development are to be constructed to minimum County standards.
- j. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) for landscaping or other improvements in the right-of-way.
- k. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- l. The applicant or his successor shall obtain approval of any development plans from the Office of the Arizona State Fire Marshal prior to any construction.
- m. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department. Prior to Final Plat approval, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
- n. Prior to Final Plat approval, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during

course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.

- o. Major changes to the zoning exhibit and narrative report shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department. Major changes to the project may require a new Citizen Participation Process as determined by the Planning and Development Department.
- p. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with Chapter 3 (Conditional Zoning).
- q. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.
- r. If a Preliminary Plat has not been approved within two (2) years or if a Final Plat has not been approved within four (4) years from the date of Board of Supervisor's approval of this Zone Change, it will be scheduled for public hearing by the Maricopa County Board of Supervisors, upon recommendation by the Maricopa County Planning and Zoning Commission, to consider reversion of the adopted zoning to the previous entitlements.
- s. Lots 1 – 8 shall be limited to one (1) story.
- t. The developer shall work with the property owner of parcel 211-74-006 (as documented on the applicant's zoning exhibit) to mitigate the headlight concerns.